

**DECLARATION AND POWER OF ATTORNEY FILED WITH  
U.S. DESIGNATION OFFICE UNDER 35 U.S.C. §371(c)(4)**

As a below named inventor, I/we hereby declare that:

My/Our residence, post office address and country of citizenship are as stated below, next to my name; I/we believe I/we am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **PROSTHETIC FOOT WITH TUNABLE PERFORMANCE**

the specification of which was filed as PCT International Application No.

PCT/U32005/011291 filed April 1, 2005 and was amended on \_\_\_\_\_  
(If applicable)

I/We hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose all information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section §1.56(a).

I/We hereby claim foreign priority benefits under Title 35, United States Code, Section §119 of any provisional application(s) and any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Provisional and/or Foreign Application(s)</u>	<u>Priority Claimed</u>
<u>60/558,119</u> (Number)	<u>USA</u> (Country)
<u>01/04/04</u> (Day/Month/Year Filed)	<u>X</u> Yes No
_____ (Number)	_____ (Country)
_____ (Day/Month/Year Filed)	_____ Yes No

I/We hereby claim the benefit under Title 35, United States Code, Section §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section §112, I/we acknowledge the duty to disclose all information as defined in Title 37, Code of Federal

Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

<u>10/473,682</u> (Application Number)	<u>March 29, 2002</u> Filing Date	<u>pending</u> (Status -- patented, pending, abandoned)
<u>10/814,260</u> (Application Number)	<u>April 1, 2004</u> Filing Date	<u>pending</u> (Status -- patented, pending, abandoned)
<u>10/814,155</u> (Application Number)	<u>April 1, 2004</u> Filing Date	<u>pending</u> (Status -- patented, pending, abandoned)

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,585; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; Paul J. Skwierawski, Reg. No. 32,173; and Alfred A. Stadnloki, Reg. No. 30,226 to prosecute and transact all business connected with this application and any related United States application and international applications. Please direct all communications to the following address:

CUSTOMER NUMBER: 020457  
ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 North Seventeenth Street  
Suite 1800  
Arlington, VA. 22209  
Telephone: (703) 312-6600  
Facsimile: (703) 312-6666

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Barry W. Townsend  
Inventor's Signature *Barry W. Townsend* Date Sept 28, 2006  
Residence Bakersfield, California Citizenship USA  
(City, State) (Country)  
Post Office Address 400 Houghin Road, Bakersfield, California 93304

Full Name of Second/Joint Inventor Byron K. Claudino

Inventor's Signature [Signature] Date 9-28-06

Residence Bakersfield, California Citizenship USA  
(City, State) (Country)

Post Office Address 9731 Rosedale Highway, Bakersfield, California 93312